



**U.S. Department of Justice**

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(via cm/ecf)  
Hon. George L. Russell, III  
Chief Judge, U.S. District Court  
District of Maryland  
101 W. Lombard Street  
Baltimore, Maryland 21201

**Re: United States v. Hersl, 1:17-cr-106  
Defendant's Second Emergency Motion for Compassionate Release**

Dear Judge Russell,

The United States is writing to provide a limited response to the Defendant's supplemental letter filed on October 4. [REDACTED]

[REDACTED] The 18-month time frame is a relevant consideration under the Bureau of Prisons Program Statement 5050.50, which states that an inmate may be considered for compassionate release for a Terminal Medical Condition where the inmate's life expectancy is 18 months or less. [https://www.bop.gov/policy/progstat/5050\\_050\\_EN.pdf](https://www.bop.gov/policy/progstat/5050_050_EN.pdf) The BOP Program Statement does not alter the Court's authority under 18 U.S.C. 3582, but it provides context for the BOP's assessments.

Very truly yours,

Erek L. Barron  
United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
Matthew Phelps  
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